

Who could replace Johnathan Davis in the Legislative Assembly through a vote count back?

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Jasper Lindell

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📷 Potential replacements for Johnathan Davis include Labor's Taimus Werner-Gibblings, the Greens' Sue Ellerman and Laura Nuttall, and the Liberals' Andrew Wall. Pictures Canberra Times, supplied

When a member quits the Legislative Assembly, voters don't go back to the polls. A count back process redistributes the ballots that elected the resigning member to find their replacement.

Johnathan Davis formally resigned from the Legislative Assembly late on Sunday night, several days after he was indefinitely stood down by the Greens after serious sexual misconduct allegations were levelled against the member for Brindabella.

The ballots which delivered Mr Davis his Brindabella seat at the 2020 federal election will be recounted and preferences distributed to the other candidates who ran in that election to determine who will replace the seat.

It's a complex process Elections ACT says is done "to determine which candidate was the next most favoured candidate chosen by the voters who elected the vacating MLA".

Candidates who ran for Brindabella in the 2020 election will be asked to nominate for the vacancy by the territory's electoral commissioner. Only those candidates who nominate for the count back process will be in the running for the seat.

Mr Davis won the seat by a margin of 83 votes and the Greens had a swing of 5.4 per cent towards them in Brindabella.

Elections ACT stores ballot paper information in a computer database, allowing it to quickly determine the result once nominations close.

Which candidates could take the fifth Brindabella seat?

Laura Nuttall, Greens



📷 Laura Nuttall, who has been tipped as a likely replacement for Johnathan Davis if she contests the count back. Picture supplied

Laura Nuttall served as a policy advisor for two years in Mr Davis' office after contesting Brindabella at the 2020 election. She left the Legislative Assembly staff in April.

Ms Nuttall, 24, a graduate of the Australian National University, has been tipped as a likely replacement for Mr Davis if she chooses to contest the count back. Ms Ellerman received 1657 first preference votes, equivalent to 3 per cent.

"Too often the old parties put the interests of corporations and their donors before the people they are supposed to represent. That's why we're one of the richest cities in the world and could house and support everyone, yet we have so many people living on the streets and struggling to meet their basic needs," Ms Nuttall said in a candidate statement at the 2020 election.

"We've seen what's possible during a crisis, and we need to use this moment to build a better normal. That means making sure that everyone has a place to call home, food on their table, and feels welcome in our community. I'm committed to supporting the one thing all politicians and political parties should focus on: people."

Sue Ellerman, Greens



📷 Sue Ellerman, pictured in July 2010, who has contested several elections for the ACT Greens. Picture by Marina Neil

Sue Ellerman has stood at several elections for the ACT Greens, including contesting the federal seat of Canberra in 2010.

At the 2020 territory election, she received 1309 first-preference votes, or 2.4 per cent.

Ms Ellerman listed the protection of the Murrumbidgee corridor as a key issue in her 2020 candidate statement.

"I would like to see full environmental protection of the Murrumbidgee River corridor, its nature reserves, biodiversity, water quality, and riverbank areas. I want to ensure that the self-interest of a few are not put before the interests of our environment and community. We must protect our catchment areas and retain important environmental values while making our city more liveable. This is some of the best land in Canberra, and it should be protected," she wrote.

Last year, Ms Ellerman used a letter to the editor to criticise the ACT government's handling of forced relocations from public housing. The government has since apologised for the way the scheme worked.

Taimus Werner-Gibblings, Labor



📷 Taimus Werner-Gibblings, who ran for Labor in Brindabella at the 2020 election. Picture by Matt Loxton

As the count continued after the 2020 election, Taimus Werner-Gibblings was for a time narrowly ahead of Mr Davis.

Despite taking more of the first-preference vote - Mr Werner-Gibblings ended up with 8.2 per cent to Mr Davis' 5.4 per cent - this Labor hopeful fell short in the race to take the fifth seat in Brindabella. Mr Werner-Gibblings missed the seat by 0.15 per cent of votes cast. Such is political life in the Hare-Clark system.

Mr Werner-Gibbings is considered a longer shot to enter the Assembly on a count back, as preferences used to elect Mr Davis are more likely to flow Green than Labor, but as the saying goes: never rule anything out in politics.

Andrew Wall, Liberal



📷 Andrew Wall, pictured in the Legislative Assembly in 2018. Picture by Dion Georgopoulos

Who doesn't love an underdog?

Andrew Wall, 39, served two terms in the Legislative Assembly for the Canberra Liberals, before losing his seat at the 2020 election.

Mr Wall served as the opposition's spokesman on business, higher education, tourism, industrial relations, disability services, corrections, youth and Indigenous affairs.

It would be a real outside chance for Mr Wall to return to the chamber in the count back, with it thought unlikely support for Mr Davis would flow to a Liberal candidate above a Green or another Labor candidate.

But Mr Wall did poll 8.3 per cent of the first preference vote. And maybe the other candidates will not nominate for the chance of a little under a year in the Assembly. Anything's possible.